

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CITIBANK, N.A.,

Plaintiff,

-against-

ARALPA HOLDINGS LIMITED PARTNERSHIP
AND RODRIGO LEBOIS MATEOS,

Defendants.

Case No. 22-cv-08842 (JLR)

ORDER TO SHOW CAUSE

Based upon (i) the Declaration of Bruno Plotnicki dated December 11, 2023, and the exhibits attached thereto; (ii) the Declaration of Mario Meza dated December 11, 2023, and the exhibits attached thereto; (iii) the Memorandum of Law in Support of Plaintiff Citibank, N.A.'s Motion for the Issuance of a Writ of Execution and Turnover Order to Enforce Judgment Against One57 36B, LLC and Aralpa Miami Investments LLC, for Prejudgment Attachment, and to Compel Responses to Information Subpoena, dated December 11, 2023; and (iv) all other pleadings and proceedings had herein; it is:

ORDERED, that Aralpa Holdings Limited Partnership, Rodrigo Lebois Mateos, One57 36B, LLC, and Aralpa Miami Investments LLC shall **SHOW CAUSE** before this Court, at Courtroom 20B, United States Courthouse, 500 Pearl Street, New York, New York, on the ____ day of _____, 20____, at _____ am/pm of that day or as soon thereafter as counsel can be heard, why an order should not be issued and entered herein:

(1) Issuing a writ of execution pursuant to Federal Rule of Civil Procedure 69 and New York Civil Practice Law and Rules Section 5230 with respect to the real property located at 157 West 57th Street, Unit 36B, New York, New York (the "New York Property");

(2) Issuing an order pursuant to Federal Rule of Civil Procedure 69 and New York Civil Practice Law and Rules Section 5225(b) directing One57 36B, LLC ("One57") to pay to

Citibank the assets in its Citibank account numbered xxxxxxxx3775 and directing Aralpa Miami Investments LLC (“Aralpa Miami”) to pay to Citibank the assets in its UBS brokerage accounts numbered xxxx767 and xxxx768 and Citibank account numbered xxxxxxxx3328;

(3) Attaching all property, wherever located, of One57 and Aralpa Miami, including (i) any debt to One57 or Aralpa Miami which is past due or which is yet to become due, certainly or upon demand of One57 and Aralpa Miami, whether it was incurred within or without the State of New York, to or from a resident or non-resident, as provided by Federal Rule of Civil Procedure 69 and New York Civil Practice Law and Rules Section 5201(a), and (ii) any tangible and intangible property of One57 and Aralpa Miami, which could be assigned or transferred, whether it consists of a present or future right or interest and whether or not it is vested, as provided by Federal Rule of Civil Procedure 69 and New York Civil Practice Law and Rules Section 5201(b), including but not limited to the New York Property and Aralpa Miami’s UBS brokerage account numbered xxxx767;

(4) Issuing an order pursuant to Federal Rule of Civil Procedure 69 and New York Civil Practice Law and Rules Sections 5224(a)(3)(iv) and 2308(b) compelling Rodrigo Lebois Mateos to provide responses to the information subpoena served on him; and

(5) Granting such other and further relief as this Court deems just and proper; and it is further

ORDERED that pending the hearing of this application, One57 and Aralpa Miami, and their respective agents, designees, representatives, servants, officers, employees, members, managers, attorneys, or anyone else acting on their behalf, are hereby enjoined and restrained from transferring, selling, assigning, pledging, or otherwise disposing of their assets, including but not limited to the New York Property and Aralpa Miami’s UBS brokerage account numbered

xxxx767, other than to pay monthly mortgage payments and other legitimate expenses associated with the New York Property; and it is further

ORDERED, that Plaintiff shall serve a copy of this Order to Show Cause and the supporting papers upon which it is based with redactions of information that is “sensitive” or requires “caution” on Aralpa Holdings Limited Partnership (“Aralpa Holdings”) and Rodrigo Lebois Mateos (“Lebois”) through the Court’s electronic case filing system (“ECF”), on or before December ___, 2023; and it is further

ORDERED, that Plaintiff shall serve a copy of this Order to Show Cause and the supporting papers upon which it is based without redactions on Aralpa Holdings and Lebois via email to their counsel of record on or before December ___, 2023; and it is further

ORDERED, that Plaintiff shall personally serve a copy of this Order to Show Cause and the supporting papers upon which it is based without redactions on One57 and Aralpa Miami on or before December ___, 2023; and it is further

ORDERED, that answering papers, if any, shall be served upon Plaintiff through ECF on or before the ___ day of _____, 20___; and it is further

ORDERED, that Plaintiff’s reply in further support of its motion, if any, shall be served upon Aralpa Holdings Limited Partnership, Rodrigo Lebois Mateos, One57, and Aralpa Miami through ECF on or before the ___ day of _____, 20___.

ENTERED:

HONORABLE JENNIFER L. ROCHON
UNITED STATES DISTRICT COURT JUDGE